

REMARKS

In the Office Action, the Examiner rejected claims 1-11, 15-25, 30-38, and 43-60 under 35 U.S.C. 103(a) as being unpatentable over Black et al. (U.S. Patent No. 6,208,873, "Black") and well known prior art. The Examiner objected to claims 12-14, 26-29, 39-42 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. The Applicants respectfully traverse the rejections and thank the Examiner for the indications of allowability (upon proper amendment).

Claims 1-5, 18-20, and 33 are not rendered obvious by Black and well known prior art

Claims 1-5 are directed to a common power control signal embodied on a carrier wave, claims 18-20 are directed to a base station that produces such a power control signal, and claim 33 is directed toward a subscriber unit that receives such a power control signal. With particular reference to claim 1, the power control signal includes: (1) a plurality of power control bits; and (2) a plurality of inhibit bits. The Applicants refer the Examiner to the Response filed October 15, 2003 and to the Application as filed for further specificity regarding these claims.

At page 3, lines 9-10 of the Action, the Examiner cedes that Black et al. fails to specifically disclose an inhibit bit that corresponds to the reverse link common channel. To meet this shortcoming, the Examiner asserts at page 3, lines 11-14, that the use of inhibit bits is well known in the art and, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Black et al. to meet the limitations of claim 1. With this assertion, the Applicants disagree.

Applicants direct the Examiner to the MPEP at section 2144.03 Reliance on Common Knowledge in the Art or "Well Known" Prior Art. Because applicants have traversed this rejection, under MPEP 2144.03, the Applicants respectfully assert that the Examiner should now cite a reference in support of her position and/or submit an affidavit in support of her position.

Without such support, claim 1 is allowable. Because independent claims 18 and 33 include the same/similar limitations, claims 18 and 33 are also allowable over the cited references. Further, because claims 2-4 depend from claim 1 and because claims 19-20 depend from claim 18, these claims are also allowable.

Claims 6-14, 21-29, 34-42, and 49-57 are not rendered obvious by Black and well known prior art

Claims 6-14 are directed to a common power control signal embodied on a carrier wave, claims 21-29 are directed to a base station that produces such a power control signal, claims 34-42 are directed toward a subscriber unit that receives such a power control signal, and claims 49-57 are directed to a method for transmitting power control bits corresponding to such a power control signal. Focusing on claim 6, the power control signal includes: (1) a first power control/inhibit bit stream that corresponds to a first reverse link common channel; and (2) a second power control/inhibit bit stream that corresponds to a second reverse link common channel, the second power control/inhibit bit stream offset in relation to the first power control/inhibit bit stream.

As described with reference to claim 1 above, Black fails to disclose, suggest, or teach the generation and transmission of inhibit bits. Black also fails to disclose, teach, or suggest power control/inhibit bit streams as required by claim 6. The Examiner provides no citation to a cited prior art reference or asserts a claim that this limitation is well known.

Thus, claim 6 is allowable over the cited references. Because independent claims 21, 34, and 49 include the same/similar limitations, the cited references fail to disclose, suggest, or teach the limitations of these claims as well, and claims 21, 34, and 49 are allowable over the cited references. Because claims 7-11 depend from claim 6, because claims 22-25 depend from claim 21, because claims 35-38 depend from claim 34, and because claims 50-57 depend from claim 49, these claims are allowable as well.

Claims 15-17, 30-32, 43-48, and 58-60 are not rendered obvious by Black and well known prior art

Claims 15-17 are directed to a common power control and quick paging channel embodied on a forward link carrier wave of a Walsh channel in a code division multiple access wireless communication system, claims 30-32 are directed to a base station that produces such a common power control and quick paging channel, claims 43-48 are directed toward a subscriber unit that receives such a common power control and quick paging channel, and claims 58-60 are directed to a method for transmitting the common power control and quick paging channel.

Focusing on claim 15, the power control signal, which is transmitted from a base station to a plurality of subscriber units, includes: (1) a common power control signal and (2) a quick paging signal that sends pages to the plurality of subscriber units, the quick paging signal mapped to a second portion of the Walsh channel.

5 Black describes the generation and transmission of power control bits. Black fails to disclose, teach, or suggest a power control signal having a common power control signal and a quick paging signal. The Examiner provides no citation to a cited prior art reference or asserts a claim that this limitation is well known.

Thus, claim 15 is allowable over Black. Because independent claims 30, 43, and 58

include the same/similar limitations, the cited references fail to disclose, suggest, or teach the limitations of these claims as well, and claims 30, 43, and 58 are allowable over the cited references. Because claims 16-17 depend from claim 15, because claims 31-32 depend from claim 30, because claims 44-48 depend from claim 43, and because claims 57-60 depend from
5 claim 58, these claims are allowable.

CONCLUSIONS

In the Office Action the Examiner has failed to provide citation or affidavit testimony that renders the pending claims non-patentable. Absent such a showing, the rejections have no basis. Thus, pending claims 1-60 are now allowable. A Notice of Allowance is courteously solicited. Please direct any questions to the undersigned attorney.

Respectfully submitted,

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By: 

Bruce E. Garlick, Reg. 36,520

Garlick, Harrison & Markison, LLP

P.O. Box 160727

Austin, Texas 78716-0727

(512) 264-8816 Voice

(512) 264-3735 FAX